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Attorney Docket No. 09792909-5790

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

**Tomoyuki Hirano, et al.**

Application No. **10/774,213**

Filed: **February 6, 2004**

For: **METHOD FOR FORMING CAPACITOR**

) **Group Art Unit 2812**

) **Examiner: Not Yet Assigned**

) I hereby certify that this document is being deposited  
) with the United States Postal Service as first class mail  
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) Commissioner for Patents, P.O. Box 1450, Alexandria,  
) VA 22313-1450 on May 25, 2004.

) *Antonietta Musto*  
) **Antonietta Musto**

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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION REGARDING NOTICE OF OMITTED ITEM(S)**

Dear Sir:

In response to the Notice of Omitted Item(s) in a Nonprovisional Application dated May 6, 2004, Applicants submit herewith a copy of page 7/7 of the figures, which includes the allegedly omitted Figures 3A-3C described in the specification. In addition, Applicants submit evidence that Applicants deposited with the USPTO the allegedly omitted figures with the originally filed application. In particular, Applicants enclose copies of the Utility Patent Application Transmittal and the Express Mail Certificate indicating that seven (7) sheets of Figures were filed with the application. Moreover, Applicants enclose a copy of the return receipt postcard confirming receipt by the USPTO of the 7 sheets of figures.

Applicants enclose a credit card payment form in the amount of \$130 petition fee as required by 37 C.F.R. § 1.17(h). Applicants request that the Commissioner refund the \$130 petition fee upon determining that the figures were received by the USPTO.

Petition Regarding Notice Of Omitted Item(s)  
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The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in connection with this filing to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: May 25, 2004

By:



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